

## ***FWP COMMISSION AGENDA ITEM COVER SHEET***

**Meeting Date:** April 12, 2012

**Agenda Item:** Stacey Creek Road Easement (R7)

**Bureau:** Wildlife

**Action Needed:** Final Approval

**Time Needed on Agenda for this Presentation:** 5 minutes

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### **Background**

FWP's Access Public Land (APL) program works cooperatively with private landowners to secure recreational access to public land. The proposed Stacey Creek Road Easement, an APL project located in Powder River County about 50 miles south of Miles City, would secure permanent public road access to a popular portion of the Custer National Forest.

FWP proposes to purchase a permanent road easement, securing permanent public rights to use the Stacey Creek Road across 0.4 miles of a private ranch in Powder River County. This segment connects the county road to an existing Forest Service road, which in turn leads to ponderosa pine habitat in an area of the Custer National Forest that is productive for deer, wild turkey and other species. The road easement would be granted by Wood Ranch (a long-time family ranching operation) and held by the Forest Service. FWP will pay the landowner \$20,000 for the easement, which is the value established by independent appraisal. The road easement would transfer to FWP in the unlikely event that the Forest Service would no longer wish to hold it. Funding for this project is from the Come Home to Hunt account.

### **Public Involvement Process & Results**

FWP released an environmental analysis on the proposed Stacey Creek Road Easement on Aug. 25, 2011, and accepted public comment through Sept. 20. Six written and email comments were received with all but one in support of the proposal. FWP staff met with the Powder River County Commission, and the county expressed no concern over the proposal. On March 20, 2012, FWP issued a decision notice, recommending purchase of the permanent road easement.

### **Alternatives and Analysis**

An alternative would be for the Forest Service acquire the road easement directly from the landowner. However, the Forest Service has indicated that it does not have funds to buy the road easement at appraised value. Instead, the Forest Service has partnered with FWP on other aspects of the project and will provide culverts, cattleguards and gravel on this section of the Stacey Creek Road, along with preparing a survey and conducting other due-diligence actions necessary for the road easement. This partnership effort allows FWP to acquire the road easement, while the Forest Service carries the significant related costs of bringing the road to operational standards.

### **Agency Recommendation & Rationale**

FWP recommends that the commission approve an expenditure of \$20,000 from the Access Public Land program to secure a permanent road easement for the Forest Service on the Wood Ranch portion of the Stacey Creek Road. There are presently no public use rights on this road section, and the easement would resolve that situation and secure permanent public access to the national forest.

### **Proposed Motion**

I move that the commission authorize FWP to complete the Stacey Creek access project by funding the acquisition of the road easement that will provide for public use and access to national forest land. The U.S. Forest Service will hold the easement.